

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

§

§

VS.

§

NO. 4:24-CR-00507

§

GHOLAM REZA GOODARZI

§

**UNOPPOSED MOTION TO CONTINUE JURY TRIAL
AND TO ENTER A NEW SCHEDULING ORDER**

TO THE HONORABLE CHARLES ESKRIDGE, UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION:

COMES NOW, GHOLAM REZA GOODARZI, defendant, moves this Honorable Court to continue the jury trial and to enter a new scheduling order and for good cause would show as follows:

I.

Motions were to be filed by October 18, 2024, pretrial materials are due by November 12, 2024, pretrial conference is set for November 15, 2024, at 9:30 a.m., and jury trial is set for November 19, 2024, at 9:30 a.m.

II.

Counsel for defendant requests a continuance of at least five months to a date after March 25, 2025, for the following reasons. This case involves a multi-agency investigation spanning several years. Counsel has not received the voluminous discovery in this matter. A protective order has just been entered so the Government will begin production soon. Counsel will need time to review discovery and meet with

defendant, in order to effectively evaluate the evidence, prepare motions, enter into meaningful plea negotiations, and/or adequately prepare for trial. Additionally, counsel has over numerous trial settings from November 2024 to February 2025. Lastly, counsel would note that he will be out of the office from March 7, 2025, until March 14, 2025, during Spring Break for a family vacation.

III.

Based on the reasons presented herein, Defendant respectfully requests that this Honorable Court continue the trial date of November 19, 2024, for at least five months to a date after March 25, 2025. A continuance of the trial setting should be excluded from the Speedy Trial limitations pursuant to 18 U.S.C. § 3161(h)(8)(A) for the ends of justice are served by such continuance and the need for the continuance outweighs the best interest of the public and the defendant in a speedy trial.

WHEREFORE, PREMISES CONSIDERED, Defendant herein requests that this Court, in accordance with United States Code, Title 18, § 3161(h)(8)(A), determine that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial and enter an Order continuing the trial date and all other pre-trial deadlines to a date consistent with the above requests and convenient with the Court's schedule.

This motion is made not for the purpose of delay, but that justice may be done.

WHEREFORE, PREMISES CONSIDERED, Defendant, respectfully prays that the Court grant this motion.

Respectfully submitted,

/s/ Kent A. Schaffer

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Attorneys for defendant,
GHOLAM REZA GOODARZI

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CERTIFICATE OF CONFERENCE

Counsel for defendant conferred with AUSA Heather Winter concerning her position on Defendant's Motion for Continuance. Ms. Winter stated that the Government is unopposed to this motion.

/s/ Kent A. Schaffer

KENT A. SCHAFFER

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send an email notification of this filing to all registered parties.

/s/ Kent A. Schaffer

KENT A. SCHAFFER

UNITED STATES OF AMERICA §
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CONSENT TO ORDER OF EXCLUDABLE DELAY

As the defendant in the above-captioned case, I acknowledge that my attorney has filed a motion seeking a continuance of the deadlines for filing of pre-trial motions and trial in this case. I understand that under the Speedy Trial Act, 18 U.S.C. § 3161 (c)(1), the trial of my case must commence within 70 days from the later of the filing date of the indictment or information in this case or the date of my first appearance in the Southern District of Texas. I further understand that the motion my attorney filed asks the Court to enter an order of excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), to permit him adequate time to investigate and prepare pre-trial motions, if necessary. My attorney has represented to the Court that the ends of justice served by granting this continuance outweigh my best interests and the interests of the public in a speedy trial in conformity with the Speedy Trial Act's time limitations because the failure to grant this continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. I further understand

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that, if the Court grants the motion to continue, the Court will enter an order excluding from the 70-day Speedy Trial Act time limitation the period of time until the next date scheduled for filing of pre-trial motions. Finally I further understand that a period of excludable delay will continue from the date my attorney files any pre-trial motion, if any, until the conclusion of the hearing on, or other prompt disposition of the motion. 18 U.S.C. § (h)(1)(D).

My attorney has discussed with me my rights under the Speedy Trial Act, the time limitations described above, the reasons for which he seeks the delay sought in the Motion to Continue, and the consequences under the Speedy Trial Act, as described above, if the Court grants his requested delay and if he files any pre-trial motion. With full comprehension of the foregoing, I hereby consent to my attorney's filing of the Motion to Continue and consent to this Court's entry of the excludable delay order described above. I also consent to future motions to continue, and I understand that I may revoke that consent at any time, if I so choose.

Signed on 11/5/24, 2024
E. Rodriguez
Defendant